

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	PROPOSED ORDER OF
- v. -	:	FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
MARIO DE LA ROSA,	:	
	:	20 Cr. 537 (JPC)
Defendant.	:	
	:	
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WHEREAS, on or about October 8, 2020, MARIO DE LA ROSA (the “Defendant”), and another, were charged in a four-count Indictment, 20 Cr. 587 (JPC) (the “Indictment”), with conspiracy to commit Hobbs Act robbery, in violation of Title 18, United States Code, Section 1951 (Count One); Hobbs Act robbery, in violation of Title 18, United States Code, Sections 1951 and 2 (Counts Two and Three); and use of a firearm, in violation of Title 18, United States Code, Sections 924(c)(1)(A)(i),(ii) and 2 (Count Four);

WHEREAS, the Indictment included a forfeiture allegation as to Counts One through Three of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28 United States Code, Section 2461(c), of any and all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offenses charged in Counts One through Three of the Indictment, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offenses charged in Counts One through Three of the Indictment;

WHEREAS, on or about December 18, 2020, the Defendant pled guilty to Counts Two and Three of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Counts Two and Three of the

Indictment and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and title 28, United States Code, Section 2461(c), a sum of money equal to \$11,930 in United States currency, representing proceeds traceable to the commission of the offenses charged in Counts Two and Three of the Indictment;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$11,930 in United States currency representing the amount of proceeds traceable to the offenses charged in Counts Two and Three of the Indictment that the Defendant personally obtained directly or indirectly, for which the Defendant is jointly and severally liable with his co-defendant, Jose Martinez;

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offense charged in Counts Two and Three of the Indictment that the Defendant personally obtained directly or indirectly, cannot be located upon the exercise of due diligence.

IT IS HEREBY ORDERED that:

1. As a result of the offenses charged in Counts Two and Three of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$11,930 in United States currency (the “Money Judgment”), representing the amount of proceeds traceable to the offenses charged in Counts Two and Three of the Indictment that the Defendant personally obtained, shall be entered against the Defendant, for which he is jointly and severally liable with his co-defendant, Jose Martinez;

2. Consistent with the Court’s oral order during sentencing on September 27, 2021, this Order of Forfeiture/Money Judgment is final as to the Defendant, MARIO DE LA

ROSA, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith;

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Department of Treasury, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Transnational Criminal Enterprises Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the Defendant's name and case number.

4. The United States Department of Treasury or its designee shall be authorized to deposit the payment on the Money Judgment in the Treasury Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to 21 U.S.C. § 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. The Court shall retain jurisdiction to enforce this Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

7. The Clerk of the Court shall forward three certified copies of this Order of Forfeiture/Money Judgment to Assistant United States Attorney Alexander J. Wilson, Co-Chief of the Money Laundering and Transnational Criminal Enterprises Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.


Respectfully submitted:

AUDREY STRAUSS
United States Attorney for the
Southern District of New York

By: /s/ Thomas Burnett
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9/27/2021
DATE

SO ORDERED:


HONORABLE JOHN P. CRONAN
UNITED STATES DISTRICT JUDGE

9/27/2021
DATE